

## Wetlands Applications Decision Report

Decisions Taken  
04/10/2017 to 04/16/2017

Approved  
4/27/17  
MAT

### DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

### APPEAL:

Any party aggrieved by a decision may file an appeal within 30 days of the date of this decision as specified in RSA 482-A:10, RSA 21-O:14, and the rules adopted by the Wetlands Council, Env-WtC 100-200.

The appeal must be filed directly with the Council, c/o the Council Appeals Clerk, who may be contacted at (603) 271-6072 or [atappeals@des.nh.gov](mailto:atappeals@des.nh.gov). The notice of appeal must set forth fully every ground upon which it is claimed that the decision complained of is unlawful or unreasonable. Only those grounds set forth in the notice of appeal can be considered by the council.

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## MAJOR IMPACT PROJECT

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2015-02012

SAWMILL MARINA BOAT CLUB

### WOLFEBORO LAKE WINNIPESAUKEE

#### Requested Action:

Amend permit to extend two finger piers 2 feet in length, from 18 feet to 20 feet.

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#### APPROVE AMENDMENT

Amend permit to read: Reconfigure existing docking facilities resulting in the following: the North Dock consisting of a 4 ft x 16 ft walkway to a 4 ft x 95 ft center pier leading to six 2 ft x 20 ft finger piers, and two 2 ft x 16 ft finger piers; the Main Dock consisting of a 5 ft x 176 ft center pier leading to a 4 ft x 24 ft finger pier, a 4 ft x 20 ft finger pier, four 2 ft x 24 ft finger piers, five 2 ft x 20 ft finger piers, and a 2 ft x 18 ft finger pier; the Hoist Docks consisting of a 4 ft x 26 ft pier and a 4 ft x 34 ft pier connected by an overhead boathoist system; the 5 ft by 55.5 ft South Pier; and the Dug-in Boathouse measuring 66 ft x 36 ft. In addition repair approximately 90 linear feet of retaining walls on an average of 218 feet of shoreline frontage Lake Winnepesaukee, in Back Bay, in Wolfeboro.

#### With Conditions:

1. All work shall be in accordance with plans by Mary Pinkham-Langer dated September 18, 2016, as received by DES on October 26, 2016, and amended plans dated March 21, 2017, as received by the NHDES on March 23, 2017.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
4. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
5. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
7. All construction-related debris shall be placed outside of the areas subject to RSA 482-A.
9. Only those structures shown on the approved plans shall be installed or constructed along this frontage.
8. Wall repairs shall maintain the size, location, and configuration of the pre-existing structures.
9. This permit does not allow dredging for any purpose.
10. The permittee may make repairs to the permitted structures as necessary, prior to the permit expiration date, provided that prior to performing any repair the permittee notifies the DES Wetlands Program and the Conservation Commission, in writing, of the proposed start and completion dates.

#### With Findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(d), modification of a docking facility providing 5 or more boat slips.
2. The Applicant has an average of 218 ft. of frontage along Lake Winnepesaukee.
3. A maximum of 8 slips would be permitted under Rule Env-Wt 402.16, Marinas - Design Standards.
4. The pre-existing docking facilities provide 52 slips as defined per RSA 482-A:2, VIII and thus do not conform to Rule Env-Wt 402.16.
5. The pre-existing North Dock crosses the imaginary extension of the adjacent property line and fails to meet the setback requirements of RSA 482-A:3,XIII.
6. The existing docking structure extends approximately 182 ft. out into Back Bay.

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7. The Applicant and the abutting property owner, the Town of Wolfeboro, agreed to a property line adjustment. As a result of this adjustment the North Dock no longer crosses the imaginary extension of the property line.
  8. No portion of the proposed docking structures will extend more than 176 ft. into Back Bay, thereby reducing the impact of the structures on navigation and public passage.
  9. The proposed reconfiguration maintains the existing number of slips, while reducing impacts to navigation.
  10. The Applicant has taken action to bring the docking structures into compliance with RSA 482-A:3,XIII regarding the maintenance of a setback from the imaginary extension of property lines.
  11. The amendment request adds 8 square feet over public waters, but still provides less square feet over public waters than repair in kind.
- Send to Governor and Executive Council-

2016-00333

**WATERSTONE RETAIL DEVELOPMENT**

**ROCHESTER**

**Requested Action:**

Proposal to fill a total of 63,760 square feet of scrub-shrub wetland over four locations for commercial development of the site including the following: Wetland Impact #1: 58,330 square feet of wetland and 750 linear feet of intermittent stream for construction of a parking area; Wetland Impact #2: 4,580 square feet of wetland and 140 linear feet of perennial stream for construction of an access road and installation of a 70 feet long x 22 feet wide x 2.43 feet high open bottom bridge with streambed simulation for a Tier 2 stream crossing; Wetland Impact #3: 275 square feet of wetland and 30 linear feet of perennial stream for the removal of an existing stone box culvert and restoration of the stream channel and banks; and Wetland Impact #4: 575 square feet of wetland and 60 linear feet of perennial stream for extension of an existing culvert under NH Route 11. Work also includes relocation/construction of the intermittent stream impacted under Wetland Impact #1 and construction of stormwater treatment areas to be designed as gravel wetlands to replace some functions and values impacted by the development. Compensatory Mitigation consists of a one-time payment of \$676,234.67 dollars into the Aquatic Resource Mitigation Fund ("ARM").

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**APPROVE PERMIT**

Fill a total of 63,760 square feet of scrub-shrub wetland over four locations for commercial development of the site including the following: Wetland Impact #1: 58,330 square feet of wetland and 750 linear feet of intermittent stream for construction of a parking area; Wetland Impact #2: 4,580 square feet of wetland and 140 linear feet of perennial stream for construction of an access road and installation of a 70 feet long x 22 feet wide x 2.43 feet high open bottom bridge with streambed simulation for a Tier 2 stream crossing; Wetland Impact #3: 275 square feet of wetland and 30 linear feet of perennial stream for the removal of an existing stone box culvert and restoration of the stream channel and banks; and Wetland Impact #4: 575 square feet of wetland and 60 linear feet of perennial stream for extension of an existing culvert under NH Route 11. Work also includes relocation/construction of the intermittent stream impacted under Wetland Impact #1 and construction of stormwater treatment areas to be designed as gravel wetlands to replace some functions and values impacted by the development. Compensatory Mitigation consists of a one-time payment of \$676,234.67 dollars into the Aquatic Resource Mitigation Fund ("ARM").

**With Conditions:**

1. All work shall be in accordance with plans by Tighe & Bond Engineers, Inc. dated March 3, 2017, and revised through April 11, 2017 as received by the NH Department of Environmental Services (NHDES) on April 11, 2017.
2. This approval is not valid until DES receives a one-time payment of \$676,234.67 to the DES Aquatic Resource Mitigation (ARM) Fund. The applicant shall remit payment to DES. If DES does not receive payment within 120 days of the date of this approval letter, DES will deny the application.
3. This permit is not valid unless an Alteration of Terrain permit or other method of compliance with RSA 485-A:17 and Env-Wq 1500 is achieved.
4. Not less than 5 state business days prior to starting work authorized by this permit, the permittee shall notify the NHDES Wetlands Bureau and the local conservation commission in writing of the date on which work under this permit is expected to start.
5. The permittee shall schedule a pre-construction meeting with DES Land Resources Management Program staff to occur at least 48 hours prior to the start of any work authorized by this permit to review the conditions of this wetlands permit and the Alteration of Terrain permit. The meeting may be held on-site or at the DES offices in Concord or the Pease International

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Tradeport. The meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.

6. Prior to construction, all wetland and surface water boundaries adjacent to construction areas shall be clearly marked to prevent unintentional encroachment on adjacent wetlands and surface waters.

7. Prior to construction, the 100 foot buffer boundary to the perennial stream shall be clearly marked with signs to prevent unintentional encroachment on this area.

8. Prior to starting any work authorized by this permit, the permittee shall place orange construction fencing at the limits of construction to prevent unintentional encroachment on undisturbed wetland areas.

9. There shall be no further alteration of wetlands for lot development, driveways, culverts, or septic setback.

10. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.

11. Precautions shall be taken to prevent import or transport of soil or seed stock containing nuisance or invasive species such as Purple Loosestrife, Rosa Multiflora, Common Buckthorn, and Autumn Olive.

12. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.

13. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.

14. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

15. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.

16. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.

17. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.

18. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.

19. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

#### Stream Relocation/Restoration and Gravel Wetland Construction

20. All stream relocation/restoration work and gravel wetland construction shall be in accordance with plans by Tighe & Bond Engineers, Inc. dated January 26, 2016 as received by the NHDES on March 6, 2017.

21. The owner/applicant shall retain a qualified professional specialized in fluvial geomorphology to supervise and be on-site during stream relocation, construction of the intermittent stream, restoration of the perennial stream, and construction of the gravel wetlands to ensure the construction is in accordance with approved plans.

22. The qualified professional specialized in fluvial geomorphology shall inspect the stream relocation, construction of the intermittent stream, restoration of the perennial stream, and construction of the gravel wetlands, and submit initial monitoring report(s) with photographs to NHDES within 30 days of construction completion of each area. The initial monitoring report(s) shall include, but not be limited to, documentation of erosion control deployment, construction sequencing, restoration/construction activities and status of at time of initial monitoring report. Photographs should depict all stages of restoration/construction sequencing.

23. Subsequent monitoring reports shall be submitted to NHDES by December 1 for two consecutive years following restoration/construction to document the success of the areas and outline a schedule for remedial actions if necessary. Such reports shall be submitted to NHDES with photographs demonstrating the conditions on the sites, include any necessary remedial actions, and contain a schedule for completing the remedial actions and conducting follow up inspections.

#### With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(c), projects that involve alteration of non-tidal wetlands in excess of 20,000 square feet in the aggregate.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The applicant has demonstrated the need to impact wetlands at this location to construct commercial buildings as part of the overall development of the site. In addition, commercial development of the site is in accordance with the City of Rochester's Master Plan.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The applicant has reduced the wetland impacts by 9,342 square feet from the original proposal by reducing the amount of building space by 84,680 square feet. The development was moved further away from an on-site perennial stream to provide a 100 foot buffer along nearly the entire

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length of the perennial stream.

4. Pursuant to Env-Wt 302.03, the applicant has further mitigated for the impacts by making a payment to the Aquatic Resource Mitigation ("ARM") fund of \$676,234.67.

5. The applicant has demonstrated that the proposed design meets the requirements of Env-Wt 904.01 and Env-Wt 904.02 for Tier 2 stream crossings by not being a barrier to sediment transport, increases the hydraulic capacity with an open bottom bridge span, a natural stone stream bottom which mimics existing streambed grades and alignment, accommodate the 100-year frequency storm event, and will not disrupt the movement of aquatic life through the stream.

6. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.

7. There were no species of concern reported for the project vicinity by the NH Natural Heritage Bureau.

8. The Rochester Conservation Commission did not report; however the City of Rochester supports the project from a planning perspective and NHDES review of Rochester Conservation Commission meeting minutes finds they are in general support of the project.

9. In accordance with RSA 428-A:8, NHDES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the resource, as identified under RSA 482-A:1.

2016-03599

FERRANTE, THOMAS

#### MOULTONBOROUGH LAKE WINNIPESAUKEE

##### Requested Action:

Install two 6 ft x 40 ft seasonal piers connected by a 6 ft x 16 ft walkway in a "U" configuration, a seasonal boatlift, and a 10 ft x 30 ft seasonal canopy 32 ft north of an existing 15 ft 8 in x 55 ft concrete pier accessed by a 15 ft 8 in x 9 ft walkway on an average of 489 feet of frontage along Lake Winnepesaukee at the entrance to Salmon Meadow Cove in Moultonborough.

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##### Conservation Commission/Staff Comments:

1-9-17 - No historic properties affected per DHR.

##### APPROVE PERMIT

Install two 6 ft x 40 ft seasonal piers connected by a 6 ft x 16 ft walkway in a "U" configuration, a seasonal boatlift, and a 10 ft x 30 ft seasonal canopy 32 ft north of an existing 15 ft 8 in x 55 ft concrete pier accessed by a 15 ft 8 in x 9 ft walkway on an average of 489 feet of frontage along Lake Winnepesaukee at the entrance to Salmon Meadow Cove in Moultonborough.

##### With Conditions:

1. All work shall be in accordance with revised plans by Don T. Carey dated March 24, 2017, and received by DES on April 5, 2017.

2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.

3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.

4. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.

5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.

6. Any subdivision of the property frontage will require removal of a sufficient portion of the docking structures to comply with the dock size and density requirements in effect at the time of the subdivision.

7. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.

8.. No portion of the seasonal structures shall extend more than 40 feet from the shoreline at full lake elevation (Elev. 504.32).

9. All seasonal structures, including watercraft lifts, shall be removed for the non-boating season.

10. The canopy, including the support frame and cover, shall be designed and constructed to be readily removed at the end

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of the boating season and the flexible canopy shall be removed for the non-boating season.

With Findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(d), construction of a docking facility providing 5 or more slips.
  2. The applicant has an average of 489 feet of frontage along Lake Winnepesaukee.
  3. A maximum of 7 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
  4. The proposed docking facility will provide 6 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
  5. The Department finds that because the project is not of significant public interest and will not significantly impair the resources of Lake Winnepesaukee a public hearing under RSA 482-A:8 is not required.
- Send to Governor and Executive Council-

2017-00291

NH DEPT OF TRANSPORTATION

**BROOKLINE VILLAGE BROOK**

Requested Action:

Dredge 243 sq. ft. of material between the downstream wing walls, remove and replace poor sections of concrete, repair cracks and repair bridge deck impacting 2,272 sq. ft. (2,039 sq. ft. temporary) of palustrine and riverine wetlands.

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Conservation Commission/Staff Comments:

Cons. Comm. - no comments

APPROVE PERMIT

Dredge 243 sq. ft. of material between the downstream wing walls, remove and replace poor sections of concrete, repair cracks and repair bridge deck impacting 2,272 sq. ft. (2,039 sq. ft. temporary) of palustrine and riverine wetlands. NHDOT project 41164

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Bridge Maintenance dated 9/20/16, as received by the NH Department of Environmental Services (DES) on Jan. 25, 2017.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction unless specifically authorized.
3. Unconfined work within the stream, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
4. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
5. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
6. Temporary cofferdams shall be entirely removed immediately following construction.
7. Construction equipment shall not be located within surface waters.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 50 feet of undisturbed vegetated buffer.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
10. Within three days of the last activity in an area, all exposed soil areas, where construction activities are complete, shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack on slopes steeper than 3:1 or netting /matting and pinning on slopes steeper than 2:1.
11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching or if temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching, mulching with tack on slopes steeper than 3:1 and stabilized by matting and pinning on slopes steeper than 2:1.

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12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
14. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
15. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.
16. The impacts associated with the temporary work shall be restored immediately following construction.
17. Erosion control methods having plastic materials shall not be used and all guidance provided by NH Fish and Game Dept. shall be complied with during the projects activities.

With Findings:

1. This is a major impact project per Administrative Rules Env-Wt 303.02 (k) and Env-Wt 303.02(p), projects within an area of documented state endangered or threatened species and replacement of a stream crossing structure located in a tier 3 stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The project was coordinated through the Natural Resource Agency monthly meetings and discussed on September 21, 2016.
6. The project does not require mitigation as this meets rule Env-Wt 302.03(c)(2)(c), protection of existing infrastructure.
7. In accordance with RSA 482-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.
8. The DES has determined the applicant has met the purpose of the current stream rules relative to not causing damage upstream or downstream and not impeding aquatic organisms.

**MINOR IMPACT PROJECT**

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2016-03539

THORNE, THOMAS/LISA

**DEERFIELD PLEASANT LAKE**

Requested Action:

Applicant requests that the permit conditions be amended to allow the reconstruction of the wall under wet conditions.

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**APPROVE AMENDMENT**

Replace 49 linear feet of dry laid stone retaining wall and footing with 49 feet of block retaining wall and 49 feet of rip-rap toe protection, replace 4 foot wide stairs to the water and 3 foot wide stairs to the water, and replace 13 linear feet of stone retaining wall in kind on 79 feet of frontage along Pleasant Lake in Deerfield.

With Conditions:

Amend permit conditions to read:

1. All work shall be in accordance with revised plans by Terrain Planning & Design, LLC dated March 20, 2017, and received by DES on March 21, 2017.
2. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
3. This permit does not authorize the removal of vegetation from within the waterfront buffer.
4. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.

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5. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
7. All construction-related debris shall be placed outside of the areas subject to RSA 482-A.
8. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
10. This permit shall not preclude DES from initiating appropriate action if DES later determines that any of the structures depicted as "existing" on the plans submitted by or on behalf of the permitted were not previously permitted or grandfathered.
11. The new structures shall maintain the footprints, size, location, and configuration of the pre-existing structures.
12. Rip-rap placed to protect the footing of the retaining wall shall not extend more than 2 feet lakeward of the wall at any point.
13. The permittee/permittee's contractor shall revegetate the disturbed area with trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project, exclusive of any invasive or nuisance species.
14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(k), projects that disturb between 50 and 200 linear feet, measured along the shoreline, of a lake or pond.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2017-00251

CLEMENS FAMILY TRUST

**MOULTONBOROUGH LAKE WINNIPESAUKEE**

Requested Action:

Impact 560 square feet of bank along 35 linear feet of shoreline to construct a 20 ft 6 in x 35 ft perched beach with 4 ft wide steps to the water on an average of 198 feet of frontage along Lake Winnepesaukee, in Moultonborough.

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Conservation Commission/Staff Comments:

2/15/17 Per DHR, no historic properties affected.

APPROVE PERMIT

Impact 560 square feet of bank along 35 linear feet of shoreline to construct a 20 ft 6 in x 35 ft perched beach with 4 ft wide steps to the water on an average of 198 feet of frontage along Lake Winnepesaukee, in Moultonborough.

With Conditions:

1. All work shall be in accordance with revised plans by Stephens Landscaping Professionals, LLC dated April 6, 2017, as received by DES on April 14, 2017.
2. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
3. This permit does not authorize the removal of trees or saplings from within the waterfront buffer.
4. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
5. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction,



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and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.

6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.

7. All excavated material shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.

8. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

9. Stone placed along the beach front for the purpose of retaining sand shall be placed above and landward of those rocks currently located along the normal high water line (Elevation 504.32). The rocks existing at the normal high water line shall remain undisturbed such that the natural shoreline remains visible and intact.

10. The steps installed for access to the water shall be located completely landward of the normal high water line.

11. No more than 10 cu. yd. of sand shall be used and all sand shall be located above the normal high water line.

12. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.

13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

14. A combination of trees, shrubs and ground covers representing the density and species diversity of the vegetation present prior to construction shall be replanted beginning at a distance no greater than 5 feet landward from the beach area.

**With Findings:**

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(g), dredge of less than 20 cubic yards of material from public waters associated with the installation of the steps to the water.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

**2017-00380**

**FLEMING, CLARE/HARRY**

**LYNDEBOROUGH SWARTZ POND**

**Requested Action:**

Dredge and fill 3,045 SF of palustrine emergent and palustrine scrub shrub wetland for the purpose of reconstructing the existing Swartz Pond dam. In addition, temporarily disturb 3,635 square feet (SF) of lacustrine limnetic and lacustrine littoral wetland within Swartz Pond in order to grade/re-grade the upstream face of the existing dam.

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**Conservation Commission/Staff Comments:**

PER DHR, MORE INFORMATION WAS REQUESTED.

2/16/17, As per DHR, no historic properties affected.

**APPROVE PERMIT**

Dredge and fill 3,045 SF of palustrine emergent and palustrine scrub shrub wetland for the purpose of reconstructing the existing Swartz Pond dam. In addition, temporarily disturb 3,635 square feet (SF) of lacustrine limnetic and lacustrine littoral wetland within Swartz Pond in order to grade/re-grade the upstream face of the existing dam.

**With Conditions:**

1. All work shall be in accordance with plans by Meridian Land Services Inc. dated January 16, 2017, received by the NH Department of Environmental Services (DES) on February 03, 2017.

2. This permit is not valid unless a permit to reconstruct a dam or other compliance with RSA 482 and New Hampshire Administrative Rule Env-Wr 100 et seq. is achieved.

3. A certified wetlands scientist or qualified professional, as applicable, shall monitor the project during construction to verify that all work is done in accordance with the approved plans and narratives, adequate siltation and erosion controls are

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properly implemented, and no water quality violations occur. A follow-up report including photographs of all stages of construction shall be submitted to the DES Wetlands Program within 60 days of final site stabilization.

4. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction.
5. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
6. No person shall collect, transport, import, export, move, buy, sell, distribute, propagate or transplant any living and viable portion of any plant, which includes all of their cultivars and varieties listed in Table 3800.1 of the New Hampshire prohibited invasive species list (Agr 3802.01).
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
9. The permittee/permittee's contractor shall use only wildlife friendly erosion control netting, not to include materials comprised of welded plastic.
10. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
11. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
12. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
13. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
14. Erosion control products shall be installed per manufacturers recommended specifications. . All work shall be done from the top of the bank only.
15. No machinery shall enter the water.
16. No excavation shall be done in flowing water. No construction equipment shall be operated in flowing water.
17. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
18. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
19. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
20. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.

With Findings:

1. This is a Minor Project per Administrative Rule Env-Wt 303.03(h), as it proposes to alter less than 20,000 square feet of nontidal wetland.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The Swartz Pond Dam (DES #147.31) has been inspected by the DES Dam Bureau and has been found to be in poor condition, requiring corrective action.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
5. The dam will largely be reconstructed within the existing footprint. Modifications are required in order to comply with current DES Dam Bureau regulations.
6. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
7. No comments of concern were received by DES from abutters or local governing organizations.
8. The Natural Heritage Bureau (NHB) report submitted with the application package (NHB16-3825) stated that there are currently "no recorded occurrences for sensitive species near this project area."
9. A pre-application meeting was held at DES in Concord on September 16, 2016 with DES Wetland Bureau staff, Dam Bureau staff and the applicant's agent.
10. Based on USGS Stream Stats regression, there are two small tributaries that contribute to Swartz Pond, with a combined drainage area of 0.24 square miles (154 acres).
11. In the application package, the applicant's agent stated that "fish are not present" in the pond and "there are no vernal pools within several hundred feet of the project."

04/10/2017 to 04/16/2017

## MOULTONBOROUGH LAKE WINNIPESAUKEE

### Requested Action:

Repair a 6 ft x 32 ft seasonal pier, a concrete anchor pad, a 16 ft x 8 ft wharf, 12 linear feet of stone retaining wall, and 4.3 ft wide stairs to the water in-kind and remove 25 square feet of tile and crushed stone from the bank on an average of 130 feet of frontage along Lake Winnepesaukee in Moultonborough.

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### Conservation Commission/Staff Comments:

2/27/17 Per DHR, no historic properties affected.

### APPROVE PERMIT

Repair a 6 ft x 32 ft seasonal pier, a concrete anchor pad, a 16 ft x 8 ft wharf, 12 linear feet of stone retaining wall, and 4.3 ft wide stairs to the water in-kind and remove 25 square feet of tile and crushed stone from the bank on an average of 130 feet of frontage along Lake Winnepesaukee in Moultonborough.

### With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated January 19, 2017 and received by DES on February 16, 2017.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
4. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
5. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
7. All construction-related debris shall be placed outside of the areas subject to RSA 482-A.
8. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
10. This permit shall not preclude DES from initiating appropriate action if DES later determines that any of the structures depicted as "existing" on the plans submitted by or on behalf of the permitted were not previously permitted or grandfathered.
11. The repairs shall maintain the size, location, and configuration of the pre-existing structures.
12. The retaining wall shall be constructed landward of the shoreline defined by the elevation of normal high water so as not to create land in public water.
13. The permittee/permittee's contractor shall revegetate the disturbed area with trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project, exclusive of any invasive or nuisance species.
14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

### With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(j), repair of existing retaining walls that requires work in the water, but that results in no change in height, length, location, or configuration.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

04/10/2017 to 04/16/2017

2017-00480

GORDON, MYRA/ROY

**CENTER HARBOR SQUAM LAKE**

**Requested Action:**

Repair 24 linear feet of stone retaining wall supporting an existing patio, in-kind, on 300 feet of frontage along Squam Lake in Center Harbor.

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**APPROVE PERMIT**

Repair 24 linear feet of stone retaining wall supporting an existing patio, in-kind, on 300 feet of frontage along Squam Lake in Center Harbor.

**With Conditions:**

1. All work shall be in accordance with plans by Caleb King as received by DES on February 16, 2017.
2. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
3. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
4. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
6. All construction-related debris shall be placed outside of the areas subject to RSA 482-A.
7. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
8. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
9. This permit shall not preclude DES from initiating appropriate action if DES later determines that any of the structures depicted as "existing" on the plans submitted by or on behalf of the permitted were not previously permitted or grandfathered.
10. The repairs shall maintain the size, location, and configuration of the pre-existing structures.
11. The retaining wall shall remain landward of the shoreline defined by the elevation of normal high water so as not to create land in public water.
12. Only existing rocks that have fallen from the structure(s) shall be used for the repairs. No additional rocks shall be used, whether obtained from the site or brought to the site.

**With Findings:**

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(j), repair existing retaining walls that requires work in the water, but that results in no change in height, length, location, or configuration.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2017-00484

SPRINGFIELD MEDICAL CARE SYSTEMS

**CHARLESTOWN Unnamed Wetland**

04/10/2017 to 04/16/2017

Requested Action:

Dredge and fill 1,311 square feet (SF) of a riverine intermittent stream (tier 1; impacting 65 linear feet (LF) along the thread of the channel) in order to upgrade and extend an existing culvert for access to a commercial development.

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Conservation Commission/Staff Comments:

3/1/17 As per DHR, no historic properties affected.

APPROVE PERMIT

Dredge and fill 1,311 square feet (SF) of a riverine intermittent stream (tier 1; impacting 65 linear feet (LF) along the thread of the channel) in order to upgrade and extend an existing culvert for access to a commercial development.

With Conditions:

1. All work shall be in accordance with plans by Engineering Ventures dated February 15, 2017 as received by the NH Department of Environmental Services (DES) on February 16, 2017.
2. All in-stream work shall be conducted during low flow conditions and in a manner that will not cause or contribute to any violations of surface water quality standards in RSA 485-A or New Hampshire Administrative Rule Env-Wq 1700.
3. Prior to starting any work authorized by this permit, the permittee shall place orange construction fencing at the limits of construction to prevent unintentional encroachment on wetlands.
4. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.
5. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation must be revegetated with like native species within three days of the completion of the disturbance.
6. The channel at the culvert outlet must maintain the natural and a consistent streambed elevation so as to not impede stream flow.
7. Native material removed from the streambed during culvert installation shall be stockpiled separately and reused to emulate a natural channel bottom. Any new materials used must be as similar to the natural stream substrate as practicable and shall not include angular riprap or gravel unless specifically identified on the approved plans.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. Filter fabric shall be installed under the rip-rap.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers' specifications.
12. No person shall collect, transport, import, export, move, buy, sell, distribute, propagate or transplant any living and viable portion of any plant, which includes all of their cultivars and varieties listed in Table 3800.1 of the New Hampshire prohibited invasive species list (Agr 3802.01).
13. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
14. Appropriate siltation, erosion and turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
15. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
16. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
17. Erosion control products shall be installed per manufacturers recommended specifications.
18. No excavation shall be done in flowing water. No construction equipment shall be operated in flowing water.
19. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
20. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
21. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
22. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.

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With Findings:

1. This is a Minor Project per Administrative Rule Env-Wt 303.03(l), as it will disturb between 50 and 200 linear feet of an intermittent stream, as measured along the thread of the channel.
2. The need for the proposed impact has been demonstrated by the applicant per Env-Wt 302.01.
3. Impacts are necessary in order to access a commercial lot for development.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
5. The proposed wetland impact for access is the only wetland impact necessary for the entire development.
6. A pre-application meeting was held at DES in Concord on November 9, 2016. Meetings notes can be found in the project file.
7. As a result of the pre-application meeting and through sequential iterations of design concept(s), the impact area and length of stream were revised to reduce impacts to the maximum extent practicable.
8. Although the applicant also owns one of the abutting parcels (lot 29.1; where there may have been a potential, less-impacting, alternative), the applicant's agent stated that "the intermittent stream flows parallel with the property boundaries making it impossible to avoid crossing the system" to access the project lot.
9. Access to the subject lot is also constrained by an abutting right-of-way (ROW).
10. Unavoidable impacts have been minimized by crossing at the narrowest location; utilizing 2:1 grading and incorporating retaining walls.
11. Further, the crossing is proposed in the same area as the existing Ceda Road stream crossing, avoiding further downstream fragmentation and disturbance.
12. The location of the crossing presents a unique hydrologic regime. The applicant's agent described it as originating "from an overgrown old fire pond" [...] "with an overflow outlet pipe that drains down to the 15 inch town [existing Ceda Road] culvert".
13. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
14. The subject crossing receives a drainage area of 42 acres (tier 1). The applicant's agent has addressed the relevant New Hampshire Administrative Rule Chapter Env-Wt 900 in the design of this crossing.
15. No comments of concern were received by DES from abutters or local governing organizations.
16. The Natural Heritage Bureau (NHB) report submitted with the application (NHB16-3449) stated that "although there was a NHB record [...] present in the vicinity, we do not expect that it will be impacted by the proposed project."
17. In correspondence dated February 06, 2017, the Town of Charlestown, Office of the Select Board, issued a Letter of Authorization for impacts and work associated within the town ROW and extension of the town's culvert.

2017-00690

393 NEW CASTLE AVENUE LLC

**PORTSMOUTH PISCATAQUA RIVER**

Requested Action:

Impact a total of 1,513 square feet in the developed upland tidal buffer zone to elevate an existing building for flood compliance and replace the foundation; install concrete floor in existing garage; construct stairs; replace degraded compacted gravel/grass area and replace with landscape aggregate and stepping stones; remove retaining wall and gravel driveway area and replace with plantings.

\*\*\*\*\*

Conservation Commission/Staff Comments:

3/14/17 as per DHR Additional information is needed in order to complete review

4/3/17 as per DHR No Adverse Effect

**APPROVE PERMIT**

Impact a total of 1,513 square feet in the developed upland tidal buffer zone to elevate an existing building for flood compliance and replace the foundation; install concrete floor in existing garage; construct stairs; replace degraded compacted gravel/grass area and replace with landscape aggregate and stepping stones; remove retaining wall and gravel driveway area and replace with plantings.

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With Conditions:

1. All work shall be in accordance with plans by Ambit Engineering dated 3/6/2017, as received by the NH Department of Environmental Services (NHDES) on 3/13/2017, and with revised calculations and details submitted by Ambit Engineering dated 4/12/2017, as received by NHDES on 4/12/2017.
2. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.
3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
4. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack on slopes steeper than 3:1.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(b), projects that involve work within 50 feet of a saltmarsh that do not meet the criteria of Env-Wt 303.02.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The work represents necessary improvements to an existing residential property in the developed upland tidal buffer zone.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The proposal eliminates areas of gravel adjacent to the tidal resource and replaces with plantings; other project work will alleviate flooding issues.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project. The NH Natural Heritage Bureau reported that, while there is a record of an occurrence of a species of concern in the project vicinity, it is not expected to be impacted by the project. The applicant has coordinated with NHB to locate the plant species of concern, and will protect the species from construction impacts.
5. This proposal reduces impervious coverage in the tidal buffer zone/protected Shoreland, and is consistent with RSA 483-B.
6. The Portsmouth Conservation Commission signed the expedited application form.

2017-00923

THE GEORGE F COLONY 2003 TRUST  
THE ANN B COLONY 2003 TRUST

HARRISVILLE SILVER LAKE

Requested Action:

Temporarily impact 195 square feet of bank and lake bed to replace 37 linear feet of stone and mortar retaining wall with a dry laid stone wall and construct 6 foot wide steps for access to the water on an average of 100 feet of frontage along Silver lake in Harrisville.

\*\*\*\*\*

APPROVE PERMIT

Temporarily impact 195 square feet of bank and lake bed to replace 37 linear feet of stone and mortar retaining wall with a dry laid stone wall and construct 6 foot wide steps for access to the water on an average of 100 feet of frontage along Silver lake in Harrisville.

With Conditions:

1. All work shall be in accordance with revised plans by Pellettieri Associates, Inc. dated March 9, 2017, and received by DES on April 6, 2017.
2. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
3. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
4. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no

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turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.

6. All excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.

7. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

8. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.

9. This permit shall not preclude DES from initiating appropriate action if DES later determines that any of the structures depicted as "existing" on the plans submitted by or on behalf of the permitted were not previously permitted or grandfathered.

10. The retaining wall shall remain landward of the shoreline defined by the elevation of normal high water so as not to create land in public water.

11. The permittee/permittee's contractor shall revegetate the disturbed area with trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project, exclusive of any invasive or nuisance species.

12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

**With Findings:**

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(g), removal of no more than 20 cubic yards of materials from public waters associated with the construction of the proposed steps.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

**MINIMUM IMPACT PROJECT**

\*\*\*\*\*

2016-03447

ALLEN, DOUGLAS/JANE

**DERRY BIG ISLAND POND**

**Requested Action:**

Reconfigure a seasonal "T" shaped pier resulting in a 10 ft x 12 ft pier accessed by a 4 ft x 8 ft walkway and install a seasonal boatlift on 69 feet of frontage along Big Island Pond in Derry.

\*\*\*\*\*

**APPROVE PERMIT**

Reconfigure a seasonal "T" shaped pier resulting in a 10 ft x 12 ft pier accessed by a 4 ft x 8 ft walkway and install a seasonal boatlift on 69 feet of frontage along Big Island Pond in Derry.

**With Conditions:**

All work shall be in accordance with revised plans by Jane Allen received by DES on April 7, 2017.

2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.

3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.

4. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.

5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work



04/10/2017 to 04/16/2017

site has returned to normal clarity.

6. Any subdivision of the property frontage will require removal of a sufficient portion of the docking structures to comply with the dock size and density requirements in effect at the time of the subdivision.
7. Only those structures shown on the approved plans shall be installed or constructed along this frontage.
8. No portion of the structures shall extend more than 20 feet from the shoreline at full lake elevation.
9. All seasonal structures, including watercraft lifts, shall be removed for the non-boating season.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(a), modification of a seasonal docking structure providing not more than 2 slips.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The proposed reconfiguration of the docking structure results in a reduction of 16 square feet of construction surface area over submerged lands.
6. The proposed reconfiguration of the docking structure will not decrease the setback to the property line of the southeasterly abutter.

2017-00488

SILKKILA, DANIELLE/NATHAN

NEW IPSWICH

Requested Action:

Dredge and fill 1,064 square feet of palustrine forested wetland in order to install a 40 foot by 18 inch culvert for access to an upland area for agricultural purposes.

\*\*\*\*\*

APPROVE PERMIT

Dredge and fill 1,064 square feet of palustrine forested wetland in order to install a 40 foot by 18 inch culvert for access to an upland area for agricultural purposes.

With Conditions:

1. All work shall be in accordance with plans by Fieldstone Land Consultants PLLC dated January 30, 2017 as received by the NH Department of Environmental Services (DES) on February 16, 2017.
2. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.
3. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and New Hampshire Administrative Rule Env-Wq 1700.
4. No person shall collect, transport, import, export, move, buy, sell, distribute, propagate or transplant any living and viable portion of any plant, which includes all of their cultivars and varieties listed in Table 3800.1 of the New Hampshire prohibited invasive species list (Agr 3802.01).
5. Work shall be done in the dry only.
6. The channel at the culvert inlet and outlet must maintain the natural and a consistent elevation and not impede wetland hydrology.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation must be revegetated with like native species within three days of the completion of the disturbance.
9. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
10. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
11. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
12. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater

04/10/2017 to 04/16/2017

Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

13. Erosion control products shall be installed per manufacturers recommended specifications.
14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
15. Where construction activities occur between November 30 and May 1, all exposed soil areas shall be stabilized within 1 day of establishing the grade that is final or that otherwise will exist for more than 5 days. Stabilization shall include placing 3-inches of base course gravels, or loaming and mulching with tack or netting and pinning on slopes steeper than 3:1.
16. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
17. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
18. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.

With Findings:

1. This is a Minimum Impact Project per Administrative Rule Env-Wt 303.04(z), as it proposes to impact less than 3,000 square feet of forested wetland in order to access upland area for normal agricultural operations.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. A narrow forested wetland bisects the lot, the owner needs access to the upland portion of the property east of the wetland system.
4. There is a Tier 3 stream that flows northerly approximately 1,500 feet east of the project area. This stream is not proposed to be impacted by the project.
5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
6. The crossing has been designed to occur at the narrowest section of the wetland. It will maintain natural and consistent hydrology in this location.
7. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
8. No comments of concern were received by DES from abutters or local governing organizations.
9. The Natural Heritage Bureau (NHB) report submitted with the application (NHB16-0308) stated that "there are no recorded occurrences for sensitive species near this project area".

2017-00508

ADAMS, MARGARET/WILLIAM  
ADAMS FAMILY TRUST

CENTER HARBOR SQUAM LAKE

Requested Action:

Impact 631 square feet of bank along 34 feet of shoreline in order to construct a 25 ft x 15 ft perched beach on an average of 396 feet of frontage along Squam Lake in Center Harbor.

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Conservation Commission/Staff Comments:

3/1/17 As per DHR, additional info needed in order to complete review.

APPROVE PERMIT

Impact 631 square feet of bank along 34 feet of shoreline in order to construct a 25 ft x 15 ft perched beach on an average of 396 feet of frontage along Squam Lake in Center Harbor.

With Conditions:

1. All work shall be in accordance with plans by Stephens Landscaping Professionals, LLC dated February 13, 2017, as received by DES on February 21, 2017.
2. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.

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3. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
4. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
6. All dredged and excavated material shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
7. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
8. Stone placed along the beach front for the purpose of retaining sand shall be placed above and landward of Elevation 563. The rocks existing at the normal high water line shall remain undisturbed such that the natural shoreline remains visible and intact.
9. The steps installed for access to the water shall be located completely landward of the normal high water line.
10. No more than 10 cu yd of sand shall be used and all sand shall be located above the normal high water line.
11. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
13. A combination of trees, shrubs and ground covers representing the density and species diversity of the vegetation present prior to construction shall be replanted beginning at a distance no greater than 5 feet landward from the beach area.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(m), projects that disturb less than 50 linear feet, measured along the shoreline, of a lake or pond or its bank.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2017-00518

BRISTOL, TOWN OF

**BRISTOL NEWFOUND RIVER**

Requested Action:

Fill 277 square feet of a man-made drainage swale to install an 18 inch HDPE culvert and fill a small depression that conveys intermittent flows between two drainage pipes.

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**APPROVE PERMIT**

Fill 277 square feet of a man-made drainage swale to install an 18 inch HDPE culvert and fill a small depression that conveys intermittent flows between two drainage pipes.

With Conditions:

1. All work shall be in accordance with plans by Town of Bristol, Central Street Roadway and Utility Improvements Plan by KV Partners, LLC dated January 2017 as received by the Department on February 21, 2017.
2. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code Admin. Rules Env-Wq 1400 during and after construction.
3. If any work associated with the project authorized by this permit will encroach on an abutter's property, then prior to starting work the permittee shall (1) obtain temporary construction easements or other written agreements from the owner of the abutting property, and (2) submit a copy of each agreement to the DES Wetlands Program.
4. Precautions shall be taken to prevent import or transport of soil or seed stock containing nuisance or invasive species. The contractor responsible for work shall appropriately address invasive species in accordance with the NHDOT Best Management Practices for Roadside Invasive Plants (2008). To prevent the introduction of invasive plant species to the site,

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the permittee's contractor(s) shall clean all soils and vegetation from construction equipment and matting before such equipment is moved to the site.

5. Work shall be done during low flow and in the dry only.

6. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.

8. The Contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

9. Within three days of final grading or temporary suspension of work all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers. Stabilization shall include mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

**With Findings:**

1. This is a Minimum impact project per Administrative Rule Env-Wt 303.04(f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The project is intended to reduce sediment flow to the river by reducing erosion and will allow continued maintenance of an area infested by invasive plant species.

3. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

4. The wetland impact area is a 20 foot long man-made drainage swale between two existing drainage pipes. The impact area and surrounding area is infested with invasive plant material (Knotweed).

5. The New Hampshire natural Heritage Bureau record review did not indicate any recorded occurrences for sensitive species near this project area per letter dated May 4, 2016.

2017-00547

RIGAZIO REVOCABLE TRUST, ALYSSA & ALEX

**DERRY ISLAND POND**

**Requested Action:**

Repair cribs supporting a 23 ft x 32 ft boathouse extending from a 27.5 ft x 15 ft deck over the water, reset existing rocks along 31 linear feet of shoreline and install 4 ft wide steps to the water on 95 ft of frontage along Island Pond in Derry,

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**Conservation Commission/Staff Comments:**

3/1/17 As per DHR, no historic properties affected.

**APPROVE PERMIT**

Repair cribs supporting a 23 ft x 32 ft boathouse extending from a 27.5 ft x 15 ft deck over the water, reset existing rocks along 31 linear feet of shoreline and install 4 ft wide steps to the water on 95 ft of frontage along Island Pond in Derry,

**With Conditions:**

1. All work shall be in accordance with plans by Varney Engineering, LLC dated December 5, 2016, and received by DES on February 24, 2017.

2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.

3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.

4. Only existing rocks that have fallen from the shoreline shall be used for the repairs. No additional rocks shall be used, whether obtained from the site or brought to the site.

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5. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
8. Only those structures shown on the approved plans shall be installed or constructed along this frontage.
9. The repairs shall maintain the size, location, and configuration of the pre-existing structures.
10. All construction-related debris shall be placed outside of areas subject to RSA 482-A jurisdiction.
11. This permit does not allow dredging for any purpose.
12. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
13. This permit shall not preclude DES from initiating appropriate action if DES later determines that any of the structures depicted as "existing" on the plans submitted by or on behalf of the permitted were not previously permitted or grandfathered.
14. The permittee/permittee's contractor shall revegetate the disturbed area with trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project, exclusive of any invasive or nuisance species.

With Findings:

1. This is a minimum impact project per Administrative Rules Env-Wt 303.04(v) and (x) repair of existing structures with no change in size, location, or configuration.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2017-00553

JEAN, MICHAEL

**BOSCAWEN**

Requested Action:

Dredge and fill 1,224 square feet of forested wetland to install a 28.5 inch x 18 inch embedded CMP pipe arch and associated fill for driveway access, and temporarily impact 101 square feet of forested wetland for water line installation.

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APPROVE PERMIT

Dredge and fill 1,224 square feet of forested wetland to install a 28.5 inch x 18 inch embedded CMP pipe arch and associated fill for driveway access, and temporarily impact 101 square feet of forested wetland for water line installation.

With Conditions:

1. All work shall be in accordance with revised plans prepared by Beaver Brook Planning and Design titled Wetland Crossing Plan, Lot 30 Map 45 in Boscawen, NH dated February 15, 2017 as received by the New Hampshire Department of Environmental Services (DES) on February 24, 2017.
2. This permit is not valid unless a septic system construction approval or other compliance with RSA 485-A:29-44 and Env-Wq 1000 is achieved.
3. Work shall be done during low flow.
4. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation must be revegetated with like native species within three days of the completion of the disturbance.
5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. The Contractor responsible for completion of the work shall utilize techniques described in the New Hampshire

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Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 ft. of undisturbed vegetated buffer.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Culverts shall be laid at original grade and slightly embedded to maintain hydraulic connection through the crossing.
11. Materials used to emulate a natural channel bottom must be consistent with the native streambed materials identified in the reference reach, and shall not include angular riprap or gravel.
12. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
13. Faulty equipment shall be repaired prior to entering jurisdictional areas.
14. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
15. All refueling of equipment shall occur outside of surface waters or wetlands.
16. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
17. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

With Findings:

1. This is a Minimum impact project per Env-Wt 303.04(f), Projects involving less than 3,000 square feet in swamps or wet meadows that are not prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The proposed project is necessary to access a buildable upland area.
3. The Applicant has indicated there is no intention of subdividing the parcel and intends on purchasing one of the recently created frontage lots on Knowlton Road consisting of 3.29 acres with the 21.41 acre parcel.
4. The agent has indicated that based on local zoning criteria a 9-lot subdivision could be constructed at the subject parcel and may result in additional disturbance and wetland impacts associated with the potential development. Impacts will be reduced by crossing the wetland at the narrowest location from Lot 45-30-1 and vertical walls will be installed instead of 2:1 slopes.
5. The Director of Planning and Community Development has provided a summary review of the alternate driveway access options and supports the chosen alternative due to the limited amount of overall disturbance and the creation of a large lot of land with a single family home with significant open space as an alternative to the 9 lot subdivision potential of the property. The alternate driveway access options presented also resulted in potential access problems for the fire department.
6. Town of Boscawen Conservation Commission has reviewed the proposed project and signed the permit application.
7. The NH Natural Heritage Bureau database indicated no recorded occurrences for sensitive species near this project area per letter dated February 13, 2017.

2017-00572

VER ENTERPRISES LLC

**GOFFSTOWN Unnamed Wetland**

Requested Action:

Dredge and fill 1,809 square feet of scrub-shrub wetland to construct a driveway to access upland storage areas for an existing landscape business.

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Conservation Commission/Staff Comments:

2/22/17 as per DHR No Historic Properties Affected

APPROVE PERMIT

Dredge and fill 1,809 square feet of scrub-shrub wetland to construct a driveway to access upland storage areas for an existing landscape business.

04/10/2017 to 04/16/2017

With Conditions:

1. All work shall be in accordance with plans by Sandford Surveying and Engineering titled Erosion Control and Detail Plan, Map 3/Lot 42 for Landscape Plus, 234 Daniel Plummer Road, Goffstown, NH with revisions dated April 10, 2017.
2. All development activities associated with this project shall be conducted in compliance with applicable requirements of Alteration of Terrain permit or other method of compliance with RSA 485-A:17 and Env-Wq 1500.
3. All work shall be done during low-flow conditions.
4. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
5. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. The Contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
8. Prior to commencing work on a substructure located within surface waters, the permittee or permittee's contractors shall construct a cofferdam to isolate the culvert installation work area from the surface waters.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. The culvert pipe shall be constructed using Reinforced Concrete Pipe (RCP) and not using High Density Polyethylene (HDPE).
11. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
12. Faulty equipment shall be repaired prior to entering jurisdictional areas.
13. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
14. All refueling of equipment shall occur outside of surface waters or wetlands.
15. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 ft. of undisturbed vegetated buffer.
16. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
17. The use of welded plastic or 'biodegradable plastic' erosion control netting should be avoided at the work site.
18. Any further alteration of areas on the property that are within the jurisdiction of the DES Wetlands Bureau will require further permitting by the Bureau.

With Findings:

1. This is a Minimum impact project per Administrative Rule Env-Wt 303.04(f), Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The existing business presently occupies all of the contiguous upland area adjacent to the road frontage. Additional upland area is required to store equipment and supplies. The impacts are necessary to utilize the other upland areas on the property.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The proposed impacts have been located at the narrowest point of the wetland to minimize fill for the driveway access.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The Natural Heritage Bureau Datacheck Results Letter dated January 4, 2017 indicates the New England cottontail has been located within the project vicinity.
6. The NHFG Nongame and Endangered Species Program reviewed the proposed project and determined that impacts to the New England cottontail as significant habitat does not appear to be present. However NHFG recommends that the proposed pipe is constructed using RCP instead of the proposed HDPE plastic culvert.
7. The proposed culverts will not impact the stream primary stream channel located on the site. The culverts will be embedded to provide hydraulic connectivity under low-flow conditions and aquatic organism passage through the crossings. All culverts have been sized to pass the 100-year storm event for the contributing area watershed.
8. The New Hampshire Division of Historical Resources has reviewed the proposed project and determined there are no historic properties affected per review letter dated February 22, 2017.

04/10/2017 to 04/16/2017

**EXPEDITED MINIMUM**

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**2016-03326**

**BERGERON, MATTHEW**

**NOTTINGHAM PAWTUCKAWAY POND**

**Requested Action:**

Construct a 50 foot x 14 foot perched beach with no more than 10 cubic yards of sand, on Pawtuckaway Lake, Nottingham.

\*\*\*\*\*

**DENY PERMIT-INSUFFICIENT & UNTIMELY RESP**

Construct a 50 foot x 14 foot perched beach with no more than 10 cubic yards of sand, on Pawtuckaway Lake, Nottingham.

**With Findings:**

1. A request for additional information dated December 19, 2016, addressed to the applicant or agent of record, clearly identified the requirement that the applicant to submit additional information to DES within 60 days of the request.
2. Pursuant to RSA 482-A:3, XIV(a) (2 ), if the requested additional information is not received by DES within 60 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 60 days and therefore the application has been denied.

**2017-00293**

**KAHN, RICHARD**

**WAKEFIELD PINE RIVER POND**

**Requested Action:**

Impact 390 square feet of bank along 26 linear feet of shoreline to construct a 9 ft x 20.5 ft perched beach on an average of 107 feet of frontage along Pine River Pond in Wakefield.

\*\*\*\*\*

**APPROVE PERMIT**

Impact 390 square feet of bank along 26 linear feet of shoreline to construct a 9 ft x 20.5 ft perched beach on an average of 107 feet of frontage along Pine River Pond in Wakefield.

**With Conditions:**

1. All work shall be in accordance with revise plans by Fernstone Associates for the Natural Resources dated March 7, 2017, as received by DES on April 7, 2017.
2. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
3. This permit does not authorize the removal of trees or saplings within the waterfront buffer.
4. All temporary impact areas shall be restored to original grades upon completion of the wall supporting the proposed beach.
5. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
7. All excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.



04/10/2017 to 04/16/2017

8. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. Stone placed along the beach front for the purpose of retaining sand shall be placed above and landward of Elevation 583.5. Those rocks existing at the normal high water line shall remain undisturbed such that the natural shoreline remains visible and intact.
10. The steps shall be located completely above and landward of Elevation 582.5.
11. No more than 10 cu yd of sand shall be used and all sand shall be located above the normal high water line.
12. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
14. A combination of trees, shrubs and ground covers representing the density and species diversity of the vegetation present prior to construction shall be replanted beginning at a distance no greater than 5 feet landward from the beach area.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(m), projects that disturb less than 50 linear feet, measured along the shoreline, of a lake or pond or its bank.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2017-00813

SMITH, MICHAEL

**DUNBARTON Unnamed Stream**

Requested Action:

Dredge and fill 243 square feet of scrub-shrub wetland to install a two foot diameter culvert to provide driveway access to a residential building site for lot development.

\*\*\*\*\*

Conservation Commission/Staff Comments:

3/21/17 per DHR No Historic Properties Affected

**APPROVE PERMIT**

Dredge and fill 243 square feet of scrub-shrub wetland to install a two foot diameter culvert to provide driveway access to a residential building site for lot development.

With Conditions:

1. All work shall be in accordance with plans prepared by Arthur F. Siciliano Jr. titled Site Plan for a Dredge and Fill Application, Tax Lot K1-1-23 dated February 2017 as received by the New Hampshire Department of Environmental Services (DES) on March 27, 2017.
2. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code Admin. Rules Env-Wq 1400 during and after construction.
3. This permit is not valid unless a septic system construction approval or other compliance with RSA 485-A:29-44 and Env-Wq 1000 is achieved.
4. A 2 foot diameter culvert shall be installed in place of the 18 inch culvert indicated on the project plans to better accommodate flows from a 50-year frequency storm event.
5. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation must be revegetated with like native species within three days of the completion of the disturbance.
6. Work shall be done during low flow.
7. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.

04/10/2017 to 04/16/2017

8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain in place until the area is stabilized.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
10. The Contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 ft. of undisturbed vegetated buffer.
12. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
13. Culverts shall be laid at original grade or embedded to maintain hydraulic connection through the crossing.
14. Embankments adjacent to wetlands, culverts, and other stream crossings shall have appropriate slope protection, such as vegetated stabilization, rip-rap, or concrete or stone headwalls, where flowing water conditions exist.
15. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
16. Faulty equipment shall be repaired prior to entering jurisdictional areas.
17. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
18. All refueling of equipment shall occur outside of surface waters or wetlands.
19. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
20. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

With Findings:

1. This is a Minimum impact per Administrative Rule Env-Wt 303.04(f), Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The project is necessary for access to a residential lot (K1-1-23).
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The proposed driveway was located at the narrowest portion of the wetland located along an existing access road.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. A 2 foot diameter culvert shall be installed in place of the 18 inch culvert indicated on the project plans to better accommodate flows from a 50-year frequency storm event.
6. The Town of Dunbarton Conservation Commission has signed the application on March 23, 2017 waiving the right to intervene per RSA 482-A:11 with no objection to the proposed work.
7. The agent has contacted the Town of Dunbarton and the NHDOT regarding the right of way access to the lot. The Town does not claim ownership of the road or perform maintenance. The NHDOT indicated the roads were a dedication of right-of-way access to the individual lots and typically an owner has the right to construct and maintain access to the lot.
8. The NH-NHB record review did not indicate any occurrences of rare species and exemplary natural communities per letter dated February 13, 2017.

2017-00871

LMS REALTY TRUST

**WOLFEBORO LAKE WINNIPESAUKEE**

Requested Action:

Repair and maintain an existing 60 slip major docking facility on 207 feet of frontage on Lake Winnepesaukee, Wolfeboro.

\*\*\*\*\*

**PBN IS COMPLETE**

Repair and maintain an existing 60 slip major docking facility on 207 feet of frontage on Lake Winnepesaukee, Wolfeboro.

**With Findings:**

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(v).

**2017-00892**

**CLAREMONT, CITY OF**

**CLAREMONT STEVENS BROOK**

**Requested Action:**

Dredge and fill 40 square feet (SF) within the bank of Rice Reservoir (impacting 17 linear feet (LF) of bank) and 650 SF (impacting 42 LF) within the bank of an intermittent stream in order to reconstruct the Rice Reservoir Dam spillway. In addition, temporarily impact 40 SF (10 LF) and 460 SF within the bank and bed of Rice Reservoir (respectively), plus 12 LF within the bank of the intermittent stream for construction access, installation.

\*\*\*\*\*

**Conservation Commission/Staff Comments:**

Dam Bureau file 1609-001

4/6/17 per DHR No Historic Properties Affected

**APPROVE PERMIT**

Dredge and fill 40 square feet (SF) within the bank of Rice Reservoir (impacting 17 linear feet (LF) of bank) and 650 SF (impacting 42 LF) within the bank of an intermittent stream in order to reconstruct the Rice Reservoir Dam spillway. In addition, temporarily impact 40 SF (10 LF) and 460 SF within the bank and bed of Rice Reservoir (respectively), plus 12 LF within the bank of the intermittent stream for construction access, installation.

**With Conditions:**

1. All work shall be in accordance with plans by H.L. Turner Group Inc. dated March 24, 2017 (including plan sheet SK3, Environmental Impacts Plan, dated February 03, 2017 as received by the NH Department of Environmental Services (DES) on April 03, 2017.
2. This permit is not valid unless a permit or other compliance with RSA 482 and New Hampshire Administrative Rule Env-Wr 100 et seq. is achieved.
3. The permittee shall notify the NH Fish and Game Department as required by RSA 211:11 prior to drawing down or dewatering the resource.
4. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction
5. Filter fabric shall be installed under the rip-rap.
6. Any fill used shall be clean sand, gravel, rock, or other suitable material.
7. No person shall collect, transport, import, export, move, buy, sell, distribute, propagate or transplant any living and viable portion of any plant, which includes all of their cultivars and varieties listed in Table 3800.1 of the New Hampshire prohibited invasive species list (Agr 3802.01).
8. Prior to commencing work on a substructure located within surface waters, the permittee or permittee's contractors shall construct a cofferdam to isolate the substructure work area from the surface waters.
9. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once the cofferdam is fully effective, confined work can proceed without restriction.
10. Work associated with installation of a cofferdam shall be done during periods of low flow only. The permittee shall monitor local weather forecasts to avoid working during or following precipitation events.
11. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
12. The temporary cofferdam shall be entirely removed within 2 days after work within the cofferdam is completed and water

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has returned to normal clarity.

13. Area of temporary impact shall be regraded to original contours following completion of work.
14. Areas from which vegetation has been cleared to gain access to the site shall be replanted with similar native species.
15. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
16. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
17. Where construction activities occur between November 30 and May 1, all exposed soil areas shall be stabilized within 1 day of establishing the grade that is final or that otherwise will exist for more than 5 days. Stabilization shall include placing 3-inches of base course gravels, or loaming and mulching with tack or netting and pinning on slopes steeper than 3:1.
18. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
19. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
20. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
21. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
22. Erosion control products shall be installed per manufacturers recommended specifications.
23. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
24. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
25. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
26. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.

With Findings:

1. This is a Minimum Impact Project per Administrative Rule Env-Wt 303.04(o), as a project deemed minimum by the department based on the degree of environmental impact.
2. Permanent impacts to the intermittent stream total 650 square feet (42 linear feet). Temporary impacts to the intermittent stream total 40 square feet (10 linear feet).
3. Typically, this amount of linear footage of impact to an intermittent stream would elevate the project from minimum to minor classification. Temporary impacts involve removing the existing spillway and restoring that area to pre-existing conditions.
4. There is on-going coordination between project stakeholders and multiple state agencies regarding project design and permitting.
5. In this case, considering the above, strict adherence to the rules would not be in the best interest of the public or the environment.
6. The need for the proposed impacts has been demonstrated by the applicant per New Hampshire Administrative Rule Env-Wt 302.01.
7. In correspondence dated March 28, 2017, received by DES on April 03, 2017, the applicant's agent stated that "The City [of Claremont] needs to replace the existing spillway in order to avoid potential public health and safety concerns as well as [to avoid] potential for environmental degradation downstream of the reservoir...".
8. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per New Hampshire Administrative Rule Env-Wt 302.03.
9. Numerous pre-application discussions have been held between the permit reviewer and the applicant's agent on this project.
10. The rip rap apron downstream of the proposed spillway has been minimized to the maximum extent practicable relative to previous design revisions.
11. The wetland areas currently encumbered by the existing spillway will be restored to original grade and replanted with native vegetation.
12. The applicant has demonstrated by plan and example that each factor listed in New Hampshire Administrative Rule Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
13. In correspondence dated March 28, 2017, received by DES on April 03, 2017, and in a pre-application phone conversation (April 13, 2017) the applicant's agent stated that the stream impacted at the outlet of the proposed spillway is intermittent/ephemeral, receiving "water occasionally from the Reservoir during storm events or drawn downs."
14. The Natural Heritage Bureau (NHB) report submitted with the application (NHB17-0862) stated that there are "no recorded occurrences for sensitive species near this project area."
15. No comments of concern were received by DES from abutters or local governing organizations.

**PERMIT BY NOTIFICATION**

\*\*\*\*\*

**2012-01564**

**BELLAVANCE, JOSEPH & MARY**

**GILFORD LAKE WINNIPESAUKEE**

**Requested Action:**

Request permit time extension. Repair of existing docking structures with no change in size, location or configuration.

\*\*\*\*\*

**Conservation Commission/Staff Comments:**

Con Com did not sign PBN form

**APPROVE TIME EXTENSION**

Repair of existing docking structures with no change in size, location or configuration.

**With Findings:**

- 1.The owner, authorized agent or applicant certifies that this permit qualifies for a permit extension in accordance with RSA 482-A:3, XIV-a, and Env-Wt 502.01.
- 2.This permit has been extended in accordance with RSA 482-A:3, XIV-a and Env-Wt 502.01.

**2016-02861**

**KNIGHT, KEVIN**

**OSSIPEE OSSIPEE LAKE**

**Requested Action:**

Repair existing retaining wall in kind, in the dry during draw down with no work in the water.

\*\*\*\*\*

**PBN IS COMPLETE**

Repair existing retaining wall in kind, in the dry during draw down with no work in the water.

**2016-03347**

**SPIRITO, DAVID**

**OSSIPEE OSSIPEE LAKE**

**Requested Action:**

Remove existing 3 foot wide stairs in the bank and install new 6 foot wide stairs in a new location on Ossipee Lake, Ossipee.

\*\*\*\*\*

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**PBN DISQUALIFIED**

Remove existing 3 foot wide stairs in the bank and install new 6 foot wide stairs in a new location on Ossipee Lake, Ossipee.

**With Findings:**

1. The proposed project will relocate an existing 3 foot wide stair in the bank and construct a larger 6 foot wide stair in the bank in a new location on the frontage.
2. The PBN was submitted to "Maintenance of a Non-Docking Structure".
3. In accordance with Rule Env-Wt 303.04(x) maintenance of a non-docking structure with no change in location, configuration, or dimensions.
4. In accordance with Rule Env-Wt 506.01(a)(7), a project would qualify for the PBN process if meets Env-Wt 303.04(x).
5. The proposed project does not meet Env-Wt 506.01(a) and Env-Wt 303.04(x), therefore the PBN is disqualified.

**2017-00958**

**KAMPF, JOSHUA/LUCY**

**NEWBURY SUNAPEE LAKE**

**Requested Action:**

Repair an 8 ft x 20 ft crib pier and associated 10 ft x 25 ft crib supported wharf in kind on an average of 49 ft of frontage along Lake Sunapee.

\*\*\*\*\*

**PBN IS COMPLETE**

Repair an 8 ft x 20 ft crib pier and associated 10 ft x 25 ft crib supported wharf in kind on an average of 49 ft of frontage along Lake Sunapee.

**With Findings:**

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(v).

**2017-01021**

**HAVERTY, ROBERT**

**ALTON BAY LAKE WINNIPESAUKEE**

**Requested Action:**

Repair two 6 ft x 36 ft piling piers connected by a 6 ft x 12 ft walkway in kind on frontage along Lake Winnepesaukee in Alton in accordance with plans by Winnepesaukee Marine Construction received April 12, 2017.

\*\*\*\*\*

**PBN IS COMPLETE**

Repair two 6 ft x 36 ft piling piers connected by a 6 ft x 12 ft walkway in kind on frontage along Lake Winnepesaukee in Alton in accordance with plans by Winnepesaukee Marine Construction received April 12, 2017.

**With Findings:**

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(v).

**FORESTRY NOTIFICATION**

\*\*\*\*\*

**2017-00959**

**TATHAM, RUTH**

**WENTWORTH Unnamed Stream**

\*\*\*\*\*

COMPLETE NOTIFICATION

Wentworth Tax Map #7, Lot #13-15

**2017-00963**

**SMITH, EDWIN/SHARON**

**HINSDALE Unnamed Stream**

\*\*\*\*\*

COMPLETE NOTIFICATION

Hinsdale Tax Map #24, Lot # 53

**2017-00975**

**ROSE VIEW PROPERTIES LLC**

**WEBSTER Unnamed Stream**

\*\*\*\*\*

COMPLETE NOTIFICATION

Webster Tax Map # 7, Lot #32

**2017-00983**

**WEGLARZ, STANLEY**

**FRANKLIN**

\*\*\*\*\*

COMPLETE NOTIFICATION

Forestry Tax Map #82, Lot #408

**2017-00992**

**BOWER, ROBERT**

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**(ALL TOWNS) Unnamed Stream**

\*\*\*\*\*

APPROVE PERMIT  
Gold Dredge

2017-01031

NH DIVISION OF FORESTS AND LANDS

**CANTERBURY Unnamed Stream**

\*\*\*\*\*

COMPLETE NOTIFICATION  
Gold Dredge

**GOLD DREDGE**

\*\*\*\*\*

2017-00989

PICKETT, CLAUDE

**(ALL TOWNS) Unnamed Stream**

\*\*\*\*\*

APPROVE PERMIT  
Gold Dredge

2017-00993

SOLINSKY, DENNIS

**(ALL TOWNS) Unnamed Stream**

\*\*\*\*\*

APPROVE PERMIT  
Gold Dredge

2017-00994

SOLINSKY, SCOTT

**(ALL TOWNS) Unnamed Stream**



\*\*\*\*\*

APPROVE PERMIT  
Gold Dredge

2017-00998

SAGER, THOMAS

(ALL TOWNS)

\*\*\*\*\*

APPROVE PERMIT  
Gold Dredge

2017-01001

BOTBYL, ALFRED

(ALL TOWNS) Unnamed Stream

\*\*\*\*\*

APPROVE PERMIT  
Gold Dredge

2017-01019

BERTHOLD, ROBERT

(ALL TOWNS) Unnamed Stream

\*\*\*\*\*

APPROVE PERMIT  
Gold Dredge

2017-01023

DEMMONS, MICHAEL

(ALL TOWNS)

\*\*\*\*\*

APPROVE PERMIT  
Gold Dredge

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**LAKES-SEASONAL DOCK NOTIFICATION**

\*\*\*\*\*

**2017-00966**

**BLOMSTEDT, JOHN & VALERIE**

**WAKEFIELD BELLEAU LAKE**

**Requested Action:**

Install a 6 ft x 30 ft seasonal pier to replace a the previously abandoned seasonal pier on approximately 139 feet of frontage along Belleau Lake in Wakefield.

\*\*\*\*\*

**COMPLETE NOTIFICATION**

Install a 6 ft x 30 ft seasonal pier to replace a the previously abandoned seasonal pier on approximately 139 feet of frontage along Belleau Lake in Wakefield.

**2017-00969**

**COCULO, ANTHONY**

**PITTSBURG BACK LAKE**

**Requested Action:**

Install a 6 ft x 30 ft seasonal pier on Back Lake in Pittsburg.

\*\*\*\*\*

**COMPLETE NOTIFICATION**

Install a 6 ft x 30 ft seasonal pier on Back Lake in Pittsburg.

**2017-01022**

**LAPOINTE, SCOTT**

**BARRINGTON MENDUMS POND**

**Requested Action:**

Install a 6 ft x 24 ft seasonal pier to replace an abandoned 6 ft x 12 ft pier on Mendums Pond.

\*\*\*\*\*

**COMPLETE NOTIFICATION**

Install a 6 ft x 24 ft seasonal pier to replace an abandoned 6 ft x 12 ft pier on Mendums Pond.

**ROADWAY MAINTENANCE NOTIFICATION**

\*\*\*\*\*

2017-00970

ROLLINSFORD, TOWN OF

ROLLINSFORD Unnamed Stream

\*\*\*\*\*

**SHORELAND PERMIT**

\*\*\*\*\*

2016-03383

CRAMER, FREDRIC/JANET

MOULTONBOROUGH LAKE WINNIPESAUKEE

**Requested Action:**

Impact 8,000 square feet of protected shoreland in order to expand a primary structure, expand a driveway, and construct a septic system.

\*\*\*\*\*

**APPROVE PERMIT**

Impact 8,000 square feet of protected shoreland in order to expand a primary structure, expand a driveway, and construct a septic system.

**With Conditions:**

1. All work shall be in accordance with revised plans by Ames Associates dated April 3, 2017 and received by the NH Department of Environmental Services (DES) on April 4, 2017.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the DES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 20% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. Native vegetation within an area of at least 5,685 sq. ft. within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of

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the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-00325

**THE CARPENTER FAMILY REVOCABLE TRUST**

**WINDHAM ROCK POND**

**Requested Action:**

Impact 15,669 square feet of protected shoreland in order to demolish an existing nonconforming residential primary structure and replace with a new structure and construct a septic system.

\*\*\*\*\*

**APPROVE PERMIT**

Impact 15,669 square feet of protected shoreland in order to demolish an existing nonconforming residential primary structure and replace with a new structure and construct a septic system.

**With Conditions:**

1. All work shall be in accordance with plans by Edward N. Herbert Assoc. Inc. dated January 2017 and received by the NH Department of Environmental Services (NHDES) on March 20, 2017.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 18% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Native vegetation within an area of at least 3,199 sq. ft. within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. The proposed dry wells shall be installed and maintained to effectively absorb and infiltrate stormwater.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
14. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-00459

**THE AGNAR INVESTMENT TRUST**

**MOULTONBOROUGH LAKE WINNIPESAUKEE**

04/10/2017 to 04/16/2017

Requested Action:

Impact 18,960 square feet in order to construct residential structure, patio, pathway, driveway, and septic system.

\*\*\*\*\*

APPROVE PERMIT

Impact 18,960 square feet in order to construct residential structure, patio, pathway, driveway, and septic system.

With Conditions:

1. All work shall be in accordance with plans by Joanne K. Coppinger dated March 18, 2017 and received by the NH Department of Environmental Services (NHDES) on March 28, 2017.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 14.1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
6. In order to avoid disturbance to nesting loons, there shall be no mechanized equipment or noisy construction activities between May 31st and July 15th.
5. Native vegetation within an area of at least 17,682 sq. ft. within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
13. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-00699

AVERY, ROBERTA

GILMANTON SAWYER LAKE

Requested Action:

Impact 4,460 square feet (SF) of protected shoreland in order replace an existing storage structure with a primary living structure, install a septic system and well, and construct a gravel driveway.

04/10/2017 to 04/16/2017

\*\*\*\*\*

#### APPROVE PERMIT

Impact 4,460 square feet (SF) of protected shoreland in order replace an existing storage structure with a primary living structure, install a septic system and well, and construct a gravel driveway.

#### With Conditions:

1. All work shall be in accordance with plans by Matthew Moore dated February 8, 2017 and received by the NH Department of Environmental Services (DES) on March 13, 2017.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the DES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 13.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. Native vegetation within an area of at least 1,475 SF within the Natural Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-00709

O'CONNOR, KAREN/KEVIN

#### WAKEFIELD BALCH POND

#### Requested Action:

Impact 4,150 square feet of protected shoreland in order to construct an addition to the existing 3 bedroom residential structure, a garage, and a section of driveway.

\*\*\*\*\*

#### APPROVE PERMIT

Impact 4,150 square feet of protected shoreland in order to construct an addition to the existing 3 bedroom residential structure, a garage, and a section of driveway.

#### With Conditions:

1. All work shall be in accordance with plans by Scott Bailey dated February 8, 2017 and received by the NH Department of Environmental Services (NHDES) on March 15, 2017.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into

04/10/2017 to 04/16/2017

areas in which impacts have not been approved.

3. No more than 13.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
4. Native vegetation within an area of at least 5,054 sq. ft. within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-00723

HEALEY, HELEN/SCOTT

**MEREDITH LAKE WINNIPESAUKEE**

**Requested Action:**

Impact 2,800 square feet of protected shoreland in order to construct a 2nd floor above the existing attached garage with larger roof overhang, structure addition over an area of existing deck, regrade the parking area south of the garage, construct a landscape berm at the NW corner of the beach, and an infiltration trench at the easterly perimeter of the driveway to protect the existing beach against erosion. Per file number 2016-02408, new gutters and proposed drywells will also be installed.

\*\*\*\*\*

**APPROVE PERMIT**

Impact 2,800 square feet of protected shoreland in order to construct a 2nd floor above the existing attached garage with larger roof overhang, structure addition over an area of existing deck, regrade the parking area south of the garage, construct a landscape berm at the NW corner of the beach, and an infiltration trench at the easterly perimeter of the driveway to protect the existing beach against erosion. Per file number 2016-02408, new gutters and proposed drywells will also be installed.

**With Conditions:**

1. All work shall be in accordance with plans by Ames Associates dated January 31, 2017 and received by the NH Department of Environmental Services (NHDES) on March 17, 2017.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. No more than 21.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
4. Native vegetation within an area of at least 3,345 sq. ft. within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

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9. The proposed dry wells, infiltration trenches, and landscape berm shall be installed and maintained to effectively absorb and infiltrate stormwater.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-00727

LONG, TIMOTHY

#### ALTON LAKE WINNIPESAUKEE

##### Requested Action:

Impact 21,500 square feet (SF) of protected shoreland in order to replace existing primary structure with a new structure; modify the existing driveway and replace a portion with pervious material; add driveways to Lot # 25; modify the patios within the waterfront buffer; install a new septic system.

\*\*\*\*\*

##### APPROVE PERMIT

Impact 21,500 square feet (SF) of protected shoreland in order to replace existing primary structure with a new structure; modify the existing driveway and replace a portion with pervious material; add driveways to Lot # 25; modify the patios within the waterfront buffer; install a new septic system.

##### With Conditions:

1. All work shall be in accordance with revised plans by Ames Associates dated March 30, 2017 and received by the NH Department of Environmental Services (DES) on April 4, 2017.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the DES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than (lot # 17) 29.6% and (lot # 25) 28.1% of the area of the lots within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. Native vegetation within an area of at least 3,450 SF within the Natural Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. The proposed (stormwater management structures) shall be installed and maintained to effectively absorb and infiltrate stormwater.
11. Photographs documenting the construction of the proposed (stormwater management structures) shall be submitted to the Department prior to any party taking up occupancy of the new residential primary structure.
12. All pervious technologies used shall be installed and maintained to effectively absorb and infiltrate stormwater.
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).



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15. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.

16. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

With Findings:

1. On April 4, 2017 the NH DES Wetlands Bureau received revised plans by Ames Associates dated March 30, 2017 that address the comments by the Town of Alton, Conservation Commission.
2. On April 5, 2017 the NH DES Wetlands Bureau received written comments from the Town of Alton, Conservation Commission for the Shoreland project identified as Alton, Tax Map 64, Lot #17, # 25.
3. The Conservation Commission request the that the plans show the 30 foot town setback from the reference line.
4. The plans have been revised to show the 30 foot setback.
5. The Conservation Commission request the that the plans show the well location.
6. The plans have been revised to show the well.
7. The Conservation Commission commented the Woodland Buffer appears to be less than the 25% required.
8. The plans and the Unaltered State Requirement worksheet states 25% (3,450 SF) of the area between 50 feet and 150 feet will remain in a natural state.
9. The Conservation Commission is concern of accidental impacts to the required area to remain in a natural state during construction.
10. Shoreland Permit, Conditions #3 requires orange construction fencing to be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
11. The Conservation Commission ask that the vegetation to be removed and the points per grid should be on the plan.
12. The plans have been revised to show the vegetation to be removed and the required points per grid.
13. The Conservation Commission request assurance the pervious surface will be maintained.
14. Shoreland Permit, Conditions #12 requires pervious technologies used shall be installed and maintained to effectively absorb and infiltrate stormwater.

2017-00738

YOUNG, PAUL

**GILFORD LAKE WINNIPESAUKEE**

Requested Action:

Impact 13,500 square feet (SF) of the protected shoreland in order to replace an existing primary structure with a new larger structure, expand existing driveway, and install a new septic system.

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APPROVE PERMIT

Impact 13,500 square feet (SF) of the protected shoreland in order to replace an existing primary structure with a new larger structure, expand existing driveway, and install a new septic system.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated March 9, 2017 and received by the NH Department of Environmental Services (DES) on March 20, 2017
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the DES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 16.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. Native vegetation within an area of at least 1,230 SF within the Natural Woodland Buffer located between 50 and 150 feet

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landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).

6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.

7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.

9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

11. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

12. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-00745

ROCKYWOLD-DEEPHAVEN CAMPS INC

#### HOLDERNESS SQUAM LAKE

##### Requested Action:

Impact 7,045 square feet (SF) of protect shoreland in order to replace an existing Subsurface Disposal System, enlarge parking area, construct a pathway from the parking lot to the primary structures, repair foundation, restore and expand the existing primary structure.

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##### APPROVE PERMIT

Impact 7,045 square feet (SF) of protect shoreland in order to replace an existing Subsurface Disposal System, enlarge parking area, construct a pathway from the parking lot to the primary structures, repair foundation, restore and expand the existing primary structure.

##### With Conditions:

1. All work shall be in accordance with plans by David Driscoll Designs dated March 16, 2017 and received by the NH Department of Environmental Services (DES) on March 20, 2017.

2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the DES Subsurface Systems Bureau.

3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.

4. No more than 16% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

5. Native vegetation within an area of at least 184,292 SF within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).

6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.

7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.

9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

11. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

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12. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-00755

FOX, ANNETTE/KERRY

**SANBORNVILLE PINE RIVER POND**

Requested Action:

Impact 1,788 square feet (SF) of protected shoreland in order to replace an existing failing retaining wall within the waterfront buffer.

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APPROVE PERMIT

Impact 1,788 square feet (SF) of protected shoreland in order to replace an existing failing retaining wall within the waterfront buffer.

With Conditions:

1. All work shall be in accordance with plans by Fox Survey Company dated March 2017 and received by the NH Department of Environmental Services (DES) on March 21, 2017.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. No more than 11% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. Native vegetation within an area of at least 2,916 SF within the Natural Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-00758

FERRIS, RONALD

**NEWBURY SUNAPEE LAKE**

Requested Action:

Impact 3,837 square feet (SF) of the protected shoreland in order to access property to replace the existing deteriorated stone and mortar vertical retaining wall with a natural gravity rock wall and replace two existing stone stairways down to the water permitted under Wetlands Permit 2017-00092.

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Conservation Commission/Staff Comments:

03/07/2017 - No historic properties affected per DHR.

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#### APPROVE PERMIT

Impact 3,837 square feet (SF) of the protected shoreland in order to access property to replace the existing deteriorated stone and mortar vertical retaining wall with a natural gravity rock wall and replace two existing stone stairways down to the water permitted under Wetlands Permit 2017-00092.

#### With Conditions:

1. All work shall be in accordance with plans by CLD Consulting Engineers dated February 2017 and received by the NH Department of Environmental Services (DES) on March 21, 2017.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. No more than 30.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. Native vegetation within an area of at least 689 SF within the Natural Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-00770

BACH, BONNIE/GERALD

#### NEW DURHAM MERRYMEETING LAKE

#### Requested Action:

Impact 1,094 square feet (SF) of protected shoreland in order to reconstruct an existing walkway with stairs, install a drip edge and infiltration beds, construct a patio and walkway with porous pavers.

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#### APPROVE PERMIT

Impact 1,094 square feet (SF) of protected shoreland in order to reconstruct an existing walkway with stairs, install a drip edge and infiltration beds, construct a patio and walkway with porous pavers.

#### With Conditions:

1. All work shall be in accordance with plans by Varney Engineering, LLC dated March 17, 2016 and received by the NH Department of Environmental Services (DES) on March 22, 2017.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. No more than 31.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. Native vegetation within an area of at least 1,735 SF within the Natural Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.

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6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. All pervious technologies used shall be installed and maintained to effectively absorb and infiltrate stormwater.
10. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
12. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-00783

BRINK, JAMES/HOLLY

#### MOULTONBOROUGH LAKE WINNIPESAUKEE

##### Requested Action:

Impact 9,500 square feet (SF) of protected shoreland in order to reconfigure the existing driveway to a circular driveway, install a driveway infiltration trench, remove the existing front walkway and install a permeable walkway with stairs, remove existing timbers and gravel path along the side of the house and replace with lawn, remove the existing timber and brick patio and replace with a permeable patio, remove the existing lakeside walkways and replace with permeable walkways.

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##### APPROVE PERMIT

Impact 9,500 square feet (SF) of protected shoreland in order to reconfigure the existing driveway to a circular driveway, install a driveway infiltration trench, remove the existing front walkway and install a permeable walkway with stairs, remove existing timbers and gravel path along the side of the house and replace with lawn, remove the existing timber and brick patio and replace with a permeable patio, remove the existing lakeside walkways and replace with permeable walkways.

##### With Conditions:

1. All work shall be in accordance with plans by Stephens Landscaping Professionals, LLC dated March 13, 2017 and received by the NH Department of Environmental Services (DES) on March 23, 2017.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. No more than 33% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. Native vegetation within an area of at least 1,875 SF within the Natural Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. All pervious technologies used shall be installed and maintained to effectively absorb and infiltrate stormwater.
10. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

